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Application Serial No. 10/058,006
Art Unit: 1732
Attorney Docket: T3318-907402

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (D.O./E.O./US)

Applicant: Stephen Shannon
Serial No.: 10/058,006
Filing Date: January 29, 2002
For: Method and Apparatus for Forming Patterns on
Flat, Plastic Floor Coverings

McLean, Virginia

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated February 25, 2004, applicant elects with traverse claims 1 – 16 drawn to a pattern grooving machine, classified in class 83, subclass 877.

REMARKS

The Examiner has required an election between apparatus claims 1 – 16 and method claims 17 – 22 on the ground that the apparatus as claimed can be used to practice another and materially different process such as one that does not require a template and additional floor covering which covers the template. In making the requirement, the Examiner has viewed the claimed method in the abstract and has not established that “another and materially different process” which does not require a

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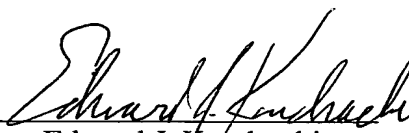
template and additional floor covering which covers the template can in fact be utilized for forming decorative patterns in floor coverings. The Examiner has failed to show how the apparatus can be used in such a materially different process.

In view thereof, reconsideration and withdrawal of the requirement for restriction are respectfully requested.

Respectfully submitted,

MILES & STOCKBRIDGE P.C.

Date: 3/12/04

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